

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Dennis R. Garner legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part here.

hereby petition for a Variance from Section 1802.3.2.1

To permit a rear yard setback of 10' in lieu of the required 50'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

Small house, need additional space for children to play and bring friends year round (since house has no basement)

Similar enclosures on adjoining properties already existing.

MAP	12
SECTION	54
DISTRICT	13
DATE	8-10-79
TYPE	
HEARING	
BY	
FINAL	

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

Contract purchaser Dennis R. Garner Legal Owner File # 247-8920

Address 2927 Freeway

Baltimore, MD. 21227

Petitioner's Attorney _____

Protestant's Attorney _____

Address _____

ORDERED By The Zoning Commissioner of Baltimore County, this 12th day

of June 1979, that the subject matter of this petition be advertised, as

required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning

Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore

County, on the 28th day of August, 1979, at 10:15 clock

A.M.

William E. Hammond
Zoning Commissioner of Baltimore County.

(over)

8/30/79
10:15 AM

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER

N/S of Freeway, 255.8' W of Hollins Ferry Rd., 13th District : OF BALTIMORE COUNTY

DENNIS R. GARNER, et ux, Petitioners : Case No. 80-51-A

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman John W. Hession, III
Peter Max Zimmerman John W. Hession, III
Deputy People's Counsel People's Counsel for Baltimore County
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 13th day of August, 1979, a copy of the foregoing

Order was mailed to Mr. and Mrs. Dennis R. Garner, 2927 Freeway, Arbutus, Maryland 21227, Petitioners.

John W. Hession, III
John W. Hession, III

September 5, 1979

Mr. & Mrs. Dennis R. Garner
2927 Freeway
Baltimore, Maryland 21227

RE: Petition for Variance
N/S of Freeway, 255.8' W of Hollins
Ferry Road - 13th Election District
Dennis R. Garner, et ux - Petitioners
NO. 80-51-A (Item No. 249)

Dear Mr. & Mrs. Garner:

I have this date passed my Order in the above referenced matter in accordance with the attached.

Very truly yours,

/s/

WILLIAM E. HAMMOND
Zoning Commissioner

WEH/srl

Attachments

cc: John W. Hession, III, Esquire
People's Counsel

DESCRIPTION

Beginning at a point 255.80 East of the intersection of Freeway and Hollins Ferry Road. Being Lot #14 Block 4 as shown on plat of "Riverview". Recorded in the Land Records of Baltimore County in Plat Book 20 Folio 46. Also known as 2927 Freeway.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond
Zoning Commissioner
TO: _____ Date: August 9, 1979
John D. Seyffert, Director
FROM: Office of Planning and Zoning
SUBJECT: Petition #80-51-A, Item 249

Petition for Variance for rear yard setback
North side of Freeway, 255.8 feet West of Hollins Ferry Road

13th District

HEARING: Tuesday, August 28, 1979 (10:15 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

John D. Seyffert
John D. Seyffert, Director
Office of Planning and Zoning

JDS:JGH:rv

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

August 17, 1979

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

cc: Nicholas B. Commodari
Chairman

Mr. & Mrs. Dennis R. Garner
2927 Freeway
Baltimore, Maryland 21227

RE: Item No. 249
Petitioners - Dennis R. Garner et ux
Variance Petition

Dear Mr. & Mrs. Garner:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the Committee to this office. The remaining members felt that no comment was warranted. This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30 nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:hk

Enclosures

Mr. & Mrs. Dennis R. Garner
2927 Freeway
Baltimore, Maryland 21227

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 19th day of June, 1979.

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner: Dennis R. Garner et ux

Petitioner's Attorney _____

Reviewed by: Nicholas B. Commodari
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

DATE RECEIVED FOR FILING

DATE September 5, 1979
BY [Signature]
ADMINISTRATIVE SERVICES

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s), the Variance(s) should be had; and it further appears that the granting of the Variance requested will not adversely affect the health, safety, and general welfare of the community; and, therefore, the Variance should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 5th day of September, 1979, that the herein Petition for Variance to permit a rear yard setback of forty feet in lieu of the required fifty feet should be and the same is GRANTED, from and after the date of this Order, subject to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

[Signature]
Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of failure to show practical difficulty and/or unreasonable hardship, the Variance(s) should not be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for the Variance(s) to permit _____

Zoning Commissioner of Baltimore County

baltimore county
department of public works
TOWSON, MARYLAND 21204
THORNTON M. MOURING, P.E.
DIRECTOR

July 18, 1979

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #249 (1978-1979)
Property Owner: Dennis R. & Linda M. Garner
N/S Freeway 255.8' W. Hollins Ferry Rd.
Existing Zoning: DR 10.5
Proposed Zoning: Variance to permit a rear setback of 40' in lieu of the required 50'.
Acres: 0.102 District: 13th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County highway and utility improvements are not directly involved. This property is in Lot 14, "Riverview Portions of Blocks 3 & 4" (G.L.B. 20, Folio 46).

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 249 (1978-1979).

Very truly yours,

[Signature]
ELLSWORTH M. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:ss
cc: J. Wimbley
C-NE Key Sheet, 21 SW 7 Pos. Sheet
SW 6 B Topo, 109 Tax Map

baltimore county
department of traffic engineering
TOWSON, MARYLAND 21204
STEPHEN E. COLLINS
DIRECTOR

July 10, 1979

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

This department has no comment for the following items: Nos. 249, 251, 254, and 255.

Sincerely,

[Signature]
Michael S. Flanigan
Engineering Associate II

MSF/mz

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO William E. Hammond
Office of Planning and Zoning
FROM: [Signature]
Fire Prevention Bureau
SUBJECT: Zoning Advisory Committee Meeting of June 19, 1979
Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

- ITEM # 249 Property Owner: Dennis R. & Linda M. Garner
Location: N/S Freeway 255.8' W Hollins Ferry Rd.
No Comments
- ITEM # 251 Property Owner: Ronald L. & Norma J. Kirby
Location: NW/S Holly Hill Rd. 95' SW Suburban Rd.
No Comments
- ITEM # 254 Property Owner: William L. & Cleopha A. Brandt
Location: NW/S Merritt Blvd. 670' SW Meadow La.
No Comments
- ITEM # 255 Property Owner: Craig Krahn
Location: S/S Barron Ave. 150' W Renfrew St.
No Comments

baltimore county
department of health
TOWSON, MARYLAND 21204
DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

August 9, 1979

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #249, Zoning Advisory Committee meeting of June 19, 1979, are as follows:

Property Owner: Dennis R. & Linda M. Garner
Location: N/S Freeway 255.8' W Hollins Ferry Rd.
Existing Zoning: D.R. 10.5
Proposed Zoning: Variance to permit a rear setback of 40' in lieu of the required 50'.
Acres: 0.102
District: 13th

Metropolitan water and sewer exist. The proposed addition should not pose any health hazards.

Very truly yours,
[Signature]
Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

LJF/JRE/fthg

baltimore county
department of permits and licenses
TOWSON, MARYLAND 21204
JOHN D. SEFFERT
DIRECTOR

June 15, 1979

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item # 249 Zoning Advisory Committee Meeting, June 19, 1979 are as follows:

Property Owner: Dennis R & Linda M. Garner
Location: NS Freeway 255.8' W Hollins Ferry Road
Existing Zoning: D.R. 10.5
Proposed Zoning: Variance to permit a rear setback of 40' in lieu of the required 50'.
Acres: 0.102
District: 13th

The items checked below are applicable:

- X A. Structure shall conform to Baltimore County Building Code (B.O.C.A.) 1970 Edition and the 1971 Supplement, and other applicable codes.
- X B. A building permit shall be required before construction can begin.
- C. Additional _____ Permits shall be required.
- D. Building shall be upgraded to new use - requires alteration permit.
- X E. Three sets of construction drawings will be required to file an application for a building permit.
- F. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.
- G. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.
- H. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.
- I. No Comment.

Special Note: X J. Comment: A fire wall of 8" masonry shall be required on the property line.

NOTE: These comments reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not to be construed as the full extent of any permit.

Very truly yours,

[Signature]
Charles E. Burnham, Chief
Plans Review

CEB:rrj

BOARD OF EDUCATION
OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: June 15, 1979

Mr. S. Eric DiNenna
Zoning Commissioner
Baltimore County Office Building
Towson, Maryland 21204

Z.A.C. Meeting of: June 19, 1979

RE: Item No: 249, 250, 251, 252, 253, 254, 255
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. DiNenna:

All of the above have no bearing on student population.

Very truly yours,

[Signature]
W. Nick Petrovich,
Field Representative

WNP/bp

JOSEPH N. MCGOWAN, PRESIDENT
T. BYARD WILLIAMS, JR., VICE-PRESIDENT
MARCUS M. POTAMIAN

THOMAS H. BOYER
MRS. LORRAINE F. CHIRCUR
ROGER M. HAYDEN
ROBERT V. J. LEE, SUPERINTENDENT

ALVIN LOBECK
MRS. MILTON R. LEMTH, JR.
RICHARD W. TRACY, D.V.M.

JAN 1980

